

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARCY J. MOORE,

Plaintiff,

v.

JOANNE B. BARNHART, Commissioner,
Social Security Administration,

Defendant.

CASE NO. C05-5066FDB

ORDER ADOPTING REPORT
AND RECOMMENDATION

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Judge J. Kelley Arnold, United States Magistrate Judge, the remaining record, and there being no objections, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) the ALJ erred in his decision as described in the report;
- (3) the matter is REVERSED and REMANDED to the administration for an award or appropriate benefits; and
- (4) The Clerk is directed to send copies of this Order to plaintiff's counsel, defendant's counsel and Magistrate Judge J. Kelley Arnold.

DATED this 6th day of March 2006.



FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE